

651.1 Definitions.

As used in [this chapter](#), unless the context otherwise requires:

1. “*Ascendant*” means an individual who precedes another individual in lineage in the direct line of ascent from the other individual.
2. “*Collateral*” means an individual who is related to another individual under the law of intestate succession of this state but who is not the other individual’s ascendant or descendant.
3. “*Cotenant*” means a person holding title to real property under tenancy in common ownership.
4. “*Descendant*” means an individual who follows another individual in lineage in the direct line of descent from the other individual.
5. “*Heirs property*” means real property held in tenancy in common that satisfies all of the following requirements as of the date of the filing of a partition action:
 - a. There is not a recorded agreement that binds all of the cotenants that governs the partition of the property.
 - b. One or more of the cotenants acquired title from a living or deceased relative.
 - c. Any of the following apply:
 - (1) Twenty percent or more of the interests are held by cotenants who are relatives.
 - (2) Twenty percent or more of the interests are held by an individual who acquired title from a living or deceased relative.
 - (3) Twenty percent or more of the cotenants are relatives.
6. “*Owelty*” means an equitable remedy in a partition action used to equalize the value of the property a party receives through the payment of a sum of money from a recipient of a higher value property to the recipient of a lower value property.
7. “*Partition by sale*” means a court-ordered sale of property subject to partition.
8. “*Partition in kind*” means a court-ordered division of property subject to partition into physically distinct and separately titled parcels.
9. “*Record*” means information that is inscribed on a tangible medium or that is stored in an electronic or other medium and is retrievable in perceivable form.
10. “*Relative*” means an ascendant, descendant, or collateral or an individual otherwise related to another individual by blood, marriage, adoption, or other law of this state.

2018 Acts, ch 1108, §1

Former §651.1 repealed by 2018 Acts, ch 1108, §33
NEW section